IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 18TH SEPTEMBER 2007 / 27TH BHADRA 1929

WP(C).No. 33189 of 2006(A)

PETITIONER:

M.G.GEORGE, S/O.GEEVARGHESE GEORGE,
PROPRIETOR, M.G.M. TOURIST HOME,
CHALAKUZHY JUNCTION, PATTOM, THIRUVANANTHAPURAM,
RESIDING AT PANCHAMI, NALANDA GARDENS, PATTOM,
THIRUVANANTHAPURAM.

BY ADV. SRI.G.SUDHEER

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY THE
SECRETARY TO GOVERNMENT, LOCAL SELF GOVERNMENT
DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. CORPORATION OF THIRUVANANTHAPURAM,
REPRESENTED BY IT'S SECRETARY,
CORPORATION OFFICE, THIRUVANANTHAPURAM.

3. TOWN PLANNING OFFICER,
THIRUVANANTHAPURAM CORPORATION.

4. TRIDA, REPRESENTED BY ITS SECRETARY,
THIRUVANANTHAPURAM.

5. H.S.MUSHATHICK, 21, TAGORE GARDENS,
KUMARAPURAM, MEDICAL COLLEGE P.O.,
THIRUVANANTHAPURAM.

6. SUMIYA MUSHATHICK, W/O.H.S.MUSHATHICK,
DO. DO.

R1 & R3 BY ADV. SRI. K.J. MOHAMMED ANZAR, SR. GOVT. PLEADER.
R2 BY ADV. SRI.N.NANDAKUMARA MENON, SC, TVPM CORPN.
R4 BY ADV. SRI.K.A.JALEEL, SC., TRIDA
R5 & R6 BY ADV. SRI.MILLU DANDAPANI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No. 33189 OF 2006
and
I.A. No. 12429 of 2007

Dated this the 18th day of September, 2007

JUDGMENT

There is very stiff opposition to the amendment application, IA No.12429 of 2007. Smt.Sumathi Dandapani, Senior counsel appearing for the party respondent submits that the party respondents are not having any objections in the matter of the Corporation considering Ext.P7 and passing appropriate orders after hearing everybody including them.

Having regard to the above submission, I am of the view that since Ext.P7 has been submitted by the petitioner and the same is pending before the Corporation, it is not necessary to examine the merits of the various grounds raised. I dispose of the Writ Petition directing the Secretary of the Thiruvananthapuram Corporation to take up Ext.P7 immediately, hear the writ petitioner and also respondents 5 and 6 and finally dispose of Ext.P7 at the earliest and at any rate within six weeks of receiving copy of this judgment. The disposal shall be after hearing all the parties and during the hearing it will be open to the petitioner to raise all grounds which are available to him. Similarly, it will be open to the respondents to raise all contentions which are available

to them including the grounds and contentions raised through the amendment application.

PIUS C. KURIAKOSE, JUDGE

btt